

HOUSE BILL No. 2375

By Committee on Higher Education Budget

2-8

1 AN ACT concerning the behavioral sciences; relating to social work;
2 powers, duties and functions of the behavioral sciences regulatory
3 board; establishing the temporary candidacy baccalaureate and master
4 social work licenses; providing requirements and fees therefor;
5 amending K.S.A. 65-6314 and K.S.A. 2022 Supp. 65-6306 and
6 repealing the existing sections.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 2022 Supp. 65-6306 is hereby amended to read as
10 follows: 65-6306. (a) The board shall issue a license as a baccalaureate
11 social worker to an applicant who has:

12 (1) A baccalaureate degree from an accredited college or university,
13 including completion of a social work program recognized and approved
14 by the board, pursuant to rules and regulations adopted by the board;

15 (2) passed an examination approved by the board for this purpose;
16 and

17 (3) satisfied the board that the applicant is a person who merits the
18 public trust.

19 (b) *(1) An applicant for a baccalaureate social work license who*
20 *received a baccalaureate degree from a social work program, including,*
21 *but not limited to, an online program, in candidacy status from an*
22 *accrediting body recognized by the board may request a temporary*
23 *candidacy baccalaureate social work license upon:*

24 *(A) Demonstrating receipt of a baccalaureate degree from a college*
25 *or university, including completion of a social work program in candidacy*
26 *from an accrediting body recognized by the board;*

27 *(B) passing an examination approved by the board for the purpose of*
28 *such temporary candidacy licensure;*

29 *(C) submitting a completed, signed temporary candidacy*
30 *baccalaureate social work license application on a form and in a manner*
31 *provided by the board;*

32 *(D) satisfying the board that the applicant is a person who merits the*
33 *public trust; and*

34 *(E) paying the temporary candidacy baccalaureate social worker fee*
35 *as established under K.S.A. 65-6314, and amendments thereto, upon*
36 *notification from the board that all eligibility requirements have been*

1 *satisfied.*

2 *(2) This subsection shall apply to, but not be limited to, the online*
3 *baccalaureate social work program at the university of Saint Mary in*
4 *Leavenworth, Kansas.*

5 *(3) A temporary candidacy baccalaureate social work license shall*
6 *expire on the last day of the 24th month after the temporary candidacy*
7 *baccalaureate social work license's effective date. Such license is*
8 *nonrenewable, but, upon request by the license holder using a form*
9 *approved by the board and paying the appropriate fee, the license shall be*
10 *extended upon a showing that the social work program remains in*
11 *candidacy status with the accrediting body recognized by the board. In all*
12 *professional use of the social worker's name, an individual with a*
13 *temporary candidacy baccalaureate social work license shall represent*
14 *themselves as a temporary candidacy baccalaureate social worker. An*
15 *individual with such license shall not use the credentials "LBSW." The*
16 *word "licensed" may be used only when followed by the words "by*
17 *temporary candidacy license." An individual issued a temporary*
18 *candidacy baccalaureate social work license shall practice under*
19 *supervision and shall not be required to complete continuing education. If*
20 *the accrediting body recognized by the board grants accreditation to the*
21 *program in candidacy status, the holder of the temporary candidacy*
22 *baccalaureate social work license shall receive a permanent license upon*
23 *payment of the appropriate fee. If the accrediting body recognized by the*
24 *board does not grant accreditation to the program in candidacy status, the*
25 *board shall immediately revoke the temporary license and notify the*
26 *licensee of the revocation of such license.*

27 *(c) The board shall issue a license as a master social worker to an*
28 *applicant who has:*

29 *(1) Except as provided in subsection ~~(f)~~ (h), a master's degree from an*
30 *accredited college or university, including completion of a social work*
31 *program recognized and approved by the board, pursuant to rules and*
32 *regulations adopted by the board;*

33 *(2) passed an examination approved by the board for this purpose;*
34 *and*

35 *(3) satisfied the board that the applicant is a person who merits the*
36 *public trust.*

37 *(d) (1) An applicant for a master social work license who received a*
38 *master's degree from a social work program, including, but not limited to,*
39 *an online program, in candidacy status from an accrediting body*
40 *recognized by the board may request a temporary candidacy master social*
41 *work license upon:*

42 *(A) Demonstrating receipt of a master's degree from a college or*
43 *university, including completion of a social work program in candidacy*

1 *from an accrediting body recognized by the board;*

2 *(B) passing an examination approved by the board for the purpose of*
3 *such temporary candidacy licensure;*

4 *(C) submitting a completed, signed temporary candidacy master*
5 *social work license application on a form and in a manner provided by the*
6 *board;*

7 *(D) satisfying the board that the applicant is a person who merits the*
8 *public trust; and*

9 *(E) paying the temporary candidacy master social worker fee as*
10 *established under K.S.A. 65-6314, and amendments thereto, upon*
11 *notification from the board that all eligibility requirements have been met.*

12 *(2) This subsection shall apply to, but not be limited to, the online*
13 *masters of social work program at the university of Saint Mary in*
14 *Leavenworth, Kansas.*

15 *(3) A temporary candidacy master social work license shall expire on*
16 *the last day of the 24th month after the temporary candidacy master social*
17 *work license's effective date. Such license is nonrenewable, but, upon*
18 *request by the license holder using a form approved by the board and*
19 *paying the appropriate fee, the license shall be extended upon a showing*
20 *that the social work program remains in candidacy status with the*
21 *accrediting body recognized by the board. In all professional use of the*
22 *social worker's name, an individual with a temporary candidacy master*
23 *social work license shall represent themselves as a temporary candidacy*
24 *master social worker. An individual with such license shall not use the*
25 *credentials "LMSW." The word "licensed" may be used only when followed*
26 *by the words "by temporary candidacy license." An individual issued a*
27 *temporary candidacy master social work license shall practice under*
28 *supervision and shall not be required to complete continuing education. If*
29 *the accrediting body recognized by the board grants accreditation to the*
30 *program in candidacy status, the holder of the temporary candidacy*
31 *master social work license shall receive a permanent license upon*
32 *payment of the appropriate fee. If the accrediting body recognized by the*
33 *board does not grant accreditation to the program in candidacy status, the*
34 *board shall immediately revoke the temporary license and notify the*
35 *licensee of the revocation of such license.*

36 ~~(e)~~(e) *The board shall issue a license in one of the social work*
37 *specialties to an applicant who has:*

38 *(1) A master's or doctor's degree from an accredited graduate school*
39 *of social work, including completion of a social work program recognized*
40 *and approved by the board, pursuant to rules and regulations adopted by*
41 *the board;*

42 *(2) had two years of full-time post-master's or post-doctor's degree*
43 *experience under the supervision of a licensed social worker in the area of*

1 the specialty in which such applicant seeks to be licensed;

2 (3) passed an examination approved by the board for this purpose;
3 ~~and~~

4 (4) satisfied the board that the applicant is a person who merits the
5 public trust.

6 ~~(d)~~(f) (1) The board shall issue a license as a specialist clinical social
7 worker to an applicant who:

8 (A) Has met the requirements of subsection~~(e)~~ (e);

9 (B) has completed 15 credit hours as part of or in addition to the
10 requirements under subsection~~(e)~~ (e) supporting diagnosis or treatment of
11 mental disorders with use of the American psychiatric association's
12 diagnostic and statistical manual, through identifiable study of the
13 following content areas: Psychopathology, diagnostic assessment,
14 interdisciplinary referral and collaboration, treatment approaches and
15 professional ethics;

16 (C) has completed a graduate level supervised clinical practicum of
17 supervised professional experience, including psychotherapy and
18 assessment, integrating diagnosis and treatment of mental disorders with
19 use of the American psychiatric association's diagnostic and statistical
20 manual or additional postgraduate supervised experience as determined by
21 the board;

22 (D) has completed as part of or in addition to the requirements of
23 subsection~~(e)~~ (e) not less than two years of postgraduate supervised
24 professional experience, in accordance with a clinical supervision plan
25 approved by the board of not less than 3,000 hours of supervised
26 professional experience including at least 1,500 hours of direct client
27 contact conducting psychotherapy and assessments with individuals,
28 couples, families or groups and not less than 100 hours of face-to-face
29 clinical supervision, as defined by the board in rules and regulations,
30 including not less than 50 hours of individual supervision, except that the
31 board may waive the requirement that such supervision be face-to-face
32 upon a finding of extenuating circumstances, integrating diagnosis and
33 treatment of mental disorders with use of the American psychiatric
34 association's diagnostic and statistical manual;

35 (E) for persons earning a degree under subsection (c) prior to July 1,
36 2003, in lieu of the education and training requirements under
37 subparagraphs (B) and (C), has completed the education requirements for
38 licensure as a specialist clinical social worker in effect on the day
39 immediately preceding the effective date of this act;

40 (F) for persons who apply for and are eligible for a temporary license
41 to practice as a specialist clinical social worker on the day immediately
42 preceding the effective date of this act, in lieu of the education and training
43 requirements under subparagraphs (B), (C) and (D), has completed the

1 education and training requirements for licensure as a specialist clinical
2 social worker in effect on the day immediately preceding the effective date
3 of this act;

4 (G) has passed an examination approved by the board; and

5 (H) has paid the application fee.

6 (2) A licensed specialist clinical social worker may engage in the
7 social work practice and is authorized to diagnose and treat mental
8 disorders specified in the edition of the diagnostic and statistical manual of
9 mental disorders of the American psychiatric association designated by the
10 board by rules and regulations. When a client has symptoms of a mental
11 disorder, a licensed specialist clinical social worker shall consult with the
12 client's primary care physician or psychiatrist to determine if there may be
13 a medical condition or medication that may be causing or contributing to
14 the client's symptoms of a mental disorder. A client may request in writing
15 that such consultation be waived and such request shall be made a part of
16 the client's record. A licensed specialist clinical social worker may
17 continue to evaluate and treat the client until such time that the medical
18 consultation is obtained or waived.

19 (3) Notwithstanding any other provision of this subsection, a licensed
20 master social worker who has provided to the board an acceptable clinical
21 supervision plan for licensure as a specialist clinical social worker prior to
22 the effective date of this act shall be licensed as a specialist clinical social
23 worker under this act upon completion of the requirements in effect for
24 licensure as a specialist clinical social worker at the time the acceptable
25 training plan is submitted to the board.

26 (4) A person licensed as a specialist clinical social worker on the day
27 immediately preceding the effective date of this act shall be deemed to be
28 a licensed specialist clinical social worker under this act. Such person shall
29 not be required to file an original application for licensure as a specialist
30 clinical social worker under this act.

31 ~~(e)~~(g) The board shall adopt rules and regulations establishing the
32 criteria that a social work program of a college or university shall satisfy to
33 be recognized and approved by the board under this section. The board
34 may send a questionnaire developed by the board to any college or
35 university conducting a social work program for which the board does not
36 have sufficient information to determine whether the program should be
37 recognized and approved by the board and whether the program meets the
38 rules and regulations adopted under this section. The questionnaire
39 providing the necessary information shall be completed and returned to the
40 board in order for the program to be considered for recognition and
41 approval. The board may contract with investigative agencies,
42 commissions or consultants to assist the board in obtaining information
43 about a social work program of a college or university. In entering such

1 contracts the authority to recognize and approve a social work program of
 2 a college or university shall remain solely with the board.

3 ~~(f)~~(h) (1) Notwithstanding any pending candidacy for accreditation of
 4 the masters of social work program at Fort Hays state university, the board
 5 shall:

6 (A) Accept a master's degree from such program as from an
 7 accredited college or university for the purpose of issuing a license as a
 8 master social worker to an applicant under subsection (b); and

9 (B) not impose any additional or alternative requirements to
 10 accreditation upon an applicant with such degree based on such program's
 11 pending candidacy for accreditation.

12 (2) The provisions of this subsection shall apply retroactively and
 13 shall expire on July 1, 2023.

14 Sec. 2. K.S.A. 65-6314 is hereby amended to read as follows: 65-
 15 6314. (a) The following fees may be established by the board in
 16 accordance with the following limitations, and any such fees shall be
 17 established by rules and regulations adopted by the board:

18 (1) Renewal or reinstatement fee for a license as a social work
 19 associate shall be not more than \$150.

20 (2) Application, new license, reinstatement or renewal fee for a
 21 license as a baccalaureate social worker shall be not more than \$150.

22 (3) Application, new license, reinstatement or renewal fee for a
 23 license as master social worker shall be not more than \$150.

24 (4) Application, new license, reinstatement or renewal fee for a
 25 license in a social work specialty shall be not more than \$150.

26 (5) Replacement fee for reissuance of a license certificate due to loss
 27 or name change shall be not more than \$20.

28 (6) Replacement fee for reissuance of a wallet card shall be not more
 29 than \$5.

30 (7) Temporary license fee for a baccalaureate social worker, master
 31 social worker or a social work specialty shall be not more than \$50.

32 (8) *Temporary candidacy license fee for a baccalaureate social*
 33 *worker, master social worker or a social work specialty, or extension of*
 34 *such license, shall be not more than \$75.*

35 (9) Application fee for approval as board-approved continuing
 36 education sponsors shall be as follows:

37 (A) Initial application fee for one year provisionally approved
 38 providers shall be not more than \$125;

39 (B) three-year renewal fees for approved providers shall be not more
 40 than \$350; and

41 (C) application fees for single program providers shall be not more
 42 than \$50 for each separately offered continuing education activity for
 43 which prior approval is sought.

1 (b) Fees paid to the board are not refundable.

2 Sec. 3. K.S.A. 65-6314 and K.S.A. 2022 Supp. 65-6306 are hereby
3 repealed.

4 Sec. 4. This act shall take effect and be in force from and after its
5 publication in the statute book.